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Otto Trucking LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Waymo LLC,

Case No. 3:17-cv-00939-WHA

Plaintiff,

V.

23 Uber Technologies, Inc.; Ottomotto LLC; Otto
24 Trucking LLC.

Defendants.

**DECLARATION OF HAYES P. HYDE IN
SUPPORT OF PLAINTIFF WAYMO
LLC'S ADMINISTRATIVE MOTION TO
FILE UNDER SEAL PORTIONS OF ITS
SUPPLEMENTAL OFFER OF PROOF,
SUPPLEMENTAL OPPOSITION TO
OTTO TRUCKING'S MSJ AND
SUPPLEMENTAL OPPOSITION TO
MOTION FOR A SEPARATE TRIAL AND
EXHIBITS THERETO [DKT. 2055]**

Courtroom:

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Court
Judge:

Hon. William Alsup

Judge Trial:

Hon. William Fries
December 4, 2017

I, Hayes P. Hyde, declare as follows:

1. I am an attorney at the law firm of Goodwin Procter, LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Plaintiff Waymo LLC’s Administrative Motion to File under Seal Portions of Its Supplemental Offer of Proof, Supplemental Opposition to Otto Trucking’s Motion for Summary Judgment, and Supplemental Opposition to Otto Trucking’s Motion for a Separate Trial (“Motion”) and exhibits thereto [Dkt. No. 2055].

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal
Motion	Portions in red boxes
Exhibits 4, 6-9, 11, 14, 15-18, 20 to the Declaration of Lindsay Cooper ("Cooper Decl.")	Entire document

3. The above-referenced highlighted portions of the Motion and the entirety of Exhibits 4, 6-9, 11, 14, 15-18, and 20 include highly confidential, sensitive business information relating to negotiations of the terms of Otto Trucking's agreements, its corporate structure, and sensitive financial and business information. This information is not publicly known, and its confidentiality is strictly maintained. I understand that this information could be used by competitors to Otto Trucking's detriment, including in the context of negotiating business deals. If such information were made public, I understand Otto Trucking's competitive standing could be significantly harmed.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 27th day of October, 2017 in San Francisco, California.

/s/ Hayes P. Hyde
Hayes P. Hyde

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the
3 United States District Court for the Northern District of California by using the CM/ECF system
4 on October 27, 2017. I further certify that all participants in the case are registered CM/ECF users
5 and that service will be accomplished by the CM/ECF system.

6 I certify under penalty of perjury that the foregoing is true and correct. Executed this 27th
7 day of October 2017.

8 /s/ Hayes P. Hyde
9 Hayes P. Hyde

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